

October 2, 2002

Jean Ramer
Corps of Engineers
10 W. 15Th. St.
Suite 2200
Helena, Mt. 59626

Subject: Application #2002-90-041 Bossard LLC, Georgetown Lake

Dear Jean,

The Montana Department of Environmental Quality (DEQ) denies 401 Water Quality Certification for the subject project. We had withheld a 401 certification decision pending review of all the comments received and information obtained from the site visit you completed.

Our 401 certification decision was based on comments received, your site visit information and analysis of potential site impacts. The loss of beneficial uses (aquatic habitat) and inability to mitigate for these losses at the site were the main reason for denying 401 Water Quality Certification for this proposal. The direct loss of a fairly limited and unique aquatic habitat (vegetated shallows) through filling and the secondary losses associated with increased use of the area formed the main basis for 401 denial.

Please do not hesitate to contact me if you have any questions 444-4626 or jeryan@state.mt.us.

Sincerely,

Jeff Ryan
Water Quality/Wetland Specialist

cc: Kris Knutson, EPA
Glenn Phillips/Wayne Hadley, FWP
Bonnie Lovelace/Tom Reid, DEQ